

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

DATA SPEED TECHNOLOGY LLC,

Plaintiff,

v.

INTERNATIONAL BUSINESS
MACHINES CORPORATION,

Defendant.

C.A. No. 13-618-SLR

**JOINT STIPULATION AND [PROPOSED] ORDER
OF DISMISSAL WITH PREJUDICE**

Plaintiff Data Speed Technology LLC and Defendant International Business Machines Corporation, pursuant to Fed. R. Civ. P. 41(a)(1), hereby stipulate to the dismissal of all claims brought by Data Speed Technology LLC in this action with prejudice, with each party to bear its own costs, expenses and attorneys' fees.

Dated: August 5, 2013

BAYARD, P.A.

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IT IS SO ORDERED this _____ day of _____, 2013.

United States District Judge